

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Nathan Christopher Braun,

File No. 22-cv-528 (ECT/DJF)

Plaintiff,

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

State of Minnesota, County of Washington,
City of Bayport, and Minnesota Department
of Corrections, *each in its Municipal
Capacity*; Paul Schnell, *Commissioner of
Corrections, Respondeat Superior Capacity*;
Guy Bosch, *MCF-STW Warden, Respondeat
Superior Capacity*; Victor Wanchena,
*Associate Warden of Administration,
Official and Personal Capacity*; CPD
Huppert, *Official and Personal Capacity*; L.
McCoy, *Official and Personal Capacity*;
MCF-STW, *Municipality*,

Defendants.

Magistrate Judge Dulce J. Foster issued a Report and Recommendation on September 22, 2022. ECF No. 18. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 18] is **ACCEPTED**;
2. Defendants State of Minnesota, County of Washington, City of Bayport, Minnesota Department of Corrections, Paul Schnell, Guy Bosch, and MCF-STW, are

DISMISSED WITHOUT PREJUDICE from this action pursuant to 28 U.S.C. § 1915A;
and

3. Plaintiff Christopher Braun's claims related to his transfer to another prison facility and alleged assault at that facility, and the alleged impact of that transfer on his ability to meet deadlines in other lawsuits [ECF No. 1 at 12–14] are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915A.

Dated: October 24, 2022

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court